

Town Board Minutes

Meeting No. 37

Regular Meeting

October 21, 2002

Town Board Minutes

October 21, 2002

Meeting No. 37

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of October 2002 at 8:00 P.M. and there were

PRESENT: **MARK MONTOUR, COUNCIL MEMBER**
 RONALD RUFFINO, COUNCIL MEMBER
 DONNA STEMPIAK, COUNCIL MEMBER
 RICHARD ZARBO, COUNCIL MEMBER
 ROBERT GIZA, SUPERVISOR

ABSENT: **NONE**

ALSO PRESENT: **JOHANNA COLEMAN, TOWN CLERK**
 ROBERT LABENSKI, TOWN ENGINEER
 RICHARD SHERWOOD, TOWN ATTORNEY
 JEFFREY SIMME, BUILDING INSPECTOR
 LEON TRZEWIECZYNSKI, CAPTAIN
 CHRISTINE FUSCO, ASSESSOR
 TERRENCE McCracken, GENERAL CREW CHIEF
 RICHARD REESE JR., HIGHWAY SUPERINTENDENT
 DAVID BROWN, DIRECTOR OF ADMINISTRATION & FINANCE
 MARY ANN PERRELLO, DEPUTY TOWN CLERK

PERSONS ADDRESSING TOWN BOARD:

Jerge, Nick, A Lancaster High School Sophomore, President of the Sophomore Class and Student Liaison to the Superintendent; informed the audience of his participation in student government.

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Concerns about traffic dangers at Aurora Street and William Street intersection.
- Concerns about sidewalks on the south side of William Street.

Howell, Gary, 48 Park Blvd, spoke to the Town Board on the following matters:

- In light of the proposed budget, concerns regarding the purchase of the radar speed sign and the appointment of Laborer Aides, Recreation Attendant, and Youth Court Coordinator.

Juszczak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matters:

- Requests various investigations.

Korez, Richard, 4946 William Street, spoke to the Town Board on the following matters:

- Questions about the traffic signal at Aurora Street & William Street; requested left arrows at this intersection.

Przybysz, Paul, 66 Northwood Drive, spoke to the Town Board on the following matter:

- Questions about Community Development Block Grant Funding.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Concerns about dumping permit fees.
- Concerns about appointments of Laborers and Laborer Aids.
- Alleges violations at an address on Broadway.
- Various other complaints.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the 2003 Special Districts Budget.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

| NAME | ADDRESS | Proponent/ Opponent/ Comments/Questions |
|---------------------|---------------------|---|
| Donald Symer | 610 Columbia Avenue | Questions |
| Roy Schneggenburger | 87 Stony Road | Comments |

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY
COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll,
which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONT'OUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

The Public Hearing was adjourned at 8:38 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

October 21, 2002

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons on the 2003 Preliminary Budget.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

| NAME | ADDRESS | Proponent/ Opponent/ Comments/Questions |
|---------------------|-------------------------|---|
| Dan Beutler | 26 Tyler Street | Opponent |
| Roy Schneggenburger | 87 Stony Road | Comments |
| Gary Howell | 48 Park Blvd | Opponent |
| Lee Chowanice | 93 Northwood Drive | Opponent |
| Henry Gull | 710 Pavement Road | Opponent |
| Paul Przybysz | 66 Northwood Drive | Comments/Questions |
| Bob Mac Peck | 362 Iroquois Ave | Proponent/Comments |
| Joe Juszcak | 600 Pleasant View Drive | Opponent |
| John Stanko | 10 Pleasant View Drive | Comments |

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED
BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on
roll, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

The Public Hearing was adjourned at 9:32 P.M.

The Supervisor informed those present that the Town Board would reserve
decision on this matter.

October 21, 2002

PUBLIC HEARING SCHEDULED FOR 9:00 P.M.:

At 9:34 P.M., the Town Board held a Public Hearing to hear all interested persons regarding the use of Federal Community Development funds in the Town of Lancaster.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

| NAME | ADDRESS | SUGGESTIONS |
|-----------------|---------------------------------|---|
| Don Symer | 610 Columbia Avenue | Seating in Town Board Room, Enhancement to Sewer Dist. No.2 |
| Bob Hamp | 22 Redlein Drive | Youth Soccer |
| Rosemary Priore | representing Belmont Shelter | Sidewalk from Woodland Apts. on William Street to Transit Road |

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED
BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on
roll, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

The Public Hearing was adjourned at 9:47 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter
spread at length in these minutes, taking favorable action upon this matter.

October 21, 2002

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes Of the Joint Meeting of the Planning Board and the Town Board held October 7, 2002, the Regular Meeting of the Town Board Held October 7, 2002 and the Special Joint Meeting of the Town Board and the Village of Lancaster Board Held October 8, 2002 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR. TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has received a Draft Environmental Impact Statement (DEIS) for Pleasant Meadow Subdivision located on the north side of Walden Avenue, south of Pleasant View Drive, between Central Avenue and Stony Road in the said Town, and

WHEREAS, the Town Engineer has reviewed the DEIS and finds it to be adequate for public and agency review in terms of scope and content, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the Draft Environmental Impact Statement and deems the Draft EIS to be adequate and complete.

**NOW, THEREFORE, BE IT
RESOLVED, AS FOLLOWS:**

1) That the Town Board of the Town of Lancaster acting as lead agency hereby accepts the Draft Environmental Impact Statement submitted for Pleasant Meadow Subdivision as adequate and complete;

2) That the Town Board does hereby set a 30 (thirty) day public comment period to commence from the date of filing of the Notice of Completion during which time the Town will receive and accept written comments from the public at the office of the Town Clerk, which period to offer written comments will expire at 10 A.M. Local Time on November 26, 2002;

3) That the Town Board directs the Town Attorney to file and publish a Notice of Completion with respect to the Draft Environmental Impact Statement for Pleasant Meadow Subdivision and directs the filing of copies of such notices and the Draft EIS, in accordance with the requirements set forth in SEQRA 6 NYCRR section 617.12;

4) That the Town Board further directs that the Town Clerk distribute the Draft Environmental Impact Statement pursuant to the regulations contained in 6 NYCRR section 617.12 and make documents accessible to the public at the Town Clerk's office, and further the Town Board authorizes the Town Clerk to charge for copies of the documents made pursuant to the authority in the SEQRA regulations and further directs that the Town Clerk provide copies of the Draft Environmental Impact Statement for public review at each of the public libraries within the Town.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: rpleasantmeadowsdeis1002a

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF COMMENT PERIOD**

LEGAL NOTICE IS HEREBY GIVEN, that a Draft Environmental Impact Statement, Draft (EIS) has been completed and accepted for the proposed Pleasant Meadows Subdivision.

Written comments on the Draft EIS will be accepted in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086 through 10:00 AM, Local Time on November 26, 2002.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

October 21, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA. WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster has requested the
Town Board to advertise for bids to furnish a Changeable Message/Radar Speed Sign, for use by
the Police Department, and

WHEREAS, the Public Safety Committee of the Town Board has approved
such request.

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made a part
hereof, be published in the Lancaster Bee and posted according to Law, that the Town will receive
bids up to 10:00 o'clock A.M. Local Time, on November 8, 2002, at the Town Hall, 21 Central
Avenue, Lancaster, New York, for a Changeable Message/Radar Speed Sign for use by the Police
Department of the Town of Lancaster, in accordance with specifications on file in the office of the
Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: rpolicebidradarspeedsign1002

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, up to 10:00 A.M., Local Time, on the 8th day of November 2002, for furnishing to the Police Department of the Town of Lancaster, New York, a Changeable Message/Radar Speed Sign for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York 14086.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

October 21, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
ZARBO, TO WIT:

WHEREAS, the General Crew Chief of the Department of Parks, Recreation,
Senior Facility and Buildings & Grounds of the Town of Lancaster, by letter dated October 16, 2002,
has recommended the upgrading of one individual from the position of Laborer Aide to the
position of Laborer.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby upgraded to the
position of Laborer at a salary of \$18.62 per hour, effective October 22, 2002.

John Zimmerman
68 Wilkshire Place
Lancaster, New York 14086

The question of the adoption of the following resolution was duly put to a vote
on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

file: rpers/rpers.upg (P6)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA . WHO MOVED
ITS ADOPTION. SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, two vacancies exist in the position of Laborer Aide in the
Department of Parks, Recreation, Senior Facility and Buildings & Grounds of the Town of
Lancaster, and

WHEREAS, the General Crew Chief of the Department of Parks, Recreation,
Senior Facility and Buildings & Grounds of the Town of Lancaster, by letter dated October 16,
2002, has recommended to the Town Board the appointment of Brian Stanek and Leo Warrington
to fill these vacancies.

NOW, THEREFORE, BE IT

RESOLVED, that Brian Stanek, 427 Lake Avenue, Lancaster, New York 14086
and Leo Warrington, 36 Lakeside Crescent, Lancaster, New York 14086 are hereby appointed to
the position of Laborer Aide in the Department of Parks, Recreation, Senior Facility and
Buildings & Grounds of the Town of Lancaster with full benefits, and that the salary for this
position is \$14.26 per hour, based on the salary schedule in the CSEA White Collar Agreement
with the Town of Lancaster for the year 2002. Mr. Stanek's appointment is effective October 22,
2002 and Mr. Warrington's appointment is effective October 28, 2002.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary
action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on
roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002
FILE: RPERS.APP (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, a vacancy exists in the Senior Citizen Center for an art director due to the retirement of Doris Huber, and

WHEREAS, the General Crew Chief of the Department of Parks, Recreation, Senior Facility and Buildings & Grounds of the Town of Lancaster has recommended the appointment of Kim Pesany-Au to the position of Recreation Attendant (Arts Director), part time, at the Senior Center.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- Section 1. That Kim Pesany-Au, 4 Stone Hedge Drive, Lancaster, New York 14086, be and is hereby appointed Recreation Attendant (Arts Instructor), part time, at the Senior Center.
- Section 2. That Kim Pesany-Au be compensated at an hourly rate of \$10.00 per hour.
- Section 3. That this appointment be effective Monday, November 4, 2002.
- Section 4. That this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated by statute for part time employees.
- Section 5. That the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File:rpers\rpers.app (P6)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MONTOUR, TO WIT:

WHEREAS, Kathy Skubis, a Recreation Attendant in the Nutrition Department of the Senior Citizen Center of the Town of Lancaster, by letter dated October 17, 2002, has requested a leave of absence for personal reasons, without pay, and

WHEREAS, the General Crew Chief has recommended the granting of this unpaid leave of absence.

NOW, THEREFORE, BE IT

RESOLVED, that Kathy Skubis, Recreation Attendant in the Nutrition Department of the Senior Citizen Center of the Town of Lancaster be and is hereby granted a leave of absence, without pay, for personal reasons from October 21, 2002 through November 20, 2002.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

FILE:pers/pers.lvc (10)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA. WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER STEMPNIAK. TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated October 16, 2002 has recommended the appointment of Mindy M. Wolcott, 55 Holland Avenue, Lancaster, New York 14086, to the position of Youth Court Coordinator (Provisional) in the Youth Bureau of the Town of Lancaster.

NOW, THEREFORE, BE IT,

RESOLVED, that Mindy M. Wolcott, 55 Holland Avenue, Lancaster, New York 14086, be and is hereby provisionally appointed to the position of Youth Court Coordinator, effective November 4, 2002 and that the salary for this position is \$30,720, based on the salary schedule in the CSEA White Collar Agreement with the Town of Lancaster for the year 2002.

BE IT FURTHER

RESOLVED, that this position will be filled permanently at a future date upon establishment of a civil service list in accordance with the Erie County Civil Service Rules, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

file: Rpers\Rpers.civ (19)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Chiefs of Police of the Town of Lancaster, Village of Lancaster, and the Village of Depew have jointly recommended to their various municipal boards that a particular date and time be set for the observance of Halloween within the Town of Lancaster, including the Villages therein.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, hereby declares Thursday, October 31, 2002, between the hours of 6:00 P.M. and 8:30 P.M., as the official period during which Halloween trick or treat activities may be observed within the Town of Lancaster, outside the Villages.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: RPR (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster to accept completed Public Improvements within Michael's Landing Subdivision, Phase II within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated October 17, 2002 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Michael's Landing Subdivision, Phase II, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 538 - Pavement & Curb

P.I.P. No. 539 - Storm Sewer

P.I.P. No. 540 - Waterline

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: RPIP (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, DARYL MARTIN ARCHITECT, 3625 Eggert Road, Orchard Park, New York, has submitted a revised Site Plan prepared by Daryl K. Martin, Architect, dated October 15, 2002 and received October 16, 2002 to construct a new 1,760 sq. ft. lobby with portico onto the existing Garden Place Hotel located at the 6615 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and at its meeting October 16, 2002, has recommended approval of this project, and

WHEREAS, this project was reviewed for SEQR purposes and it was determined to be a "Type II Action" and as such, no further SEQR review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the revised Site Plan submitted by DARYL MARTIN ARCHITECT, prepared by Daryl K. Martin, Architect, dated October 15, 2002 and received October 16, 2002 to construct a new 1,760 sq. ft. lobby with portico onto the existing Garden Place Hotel located at the 6615 Transit Road in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: rsgardenplacchotel002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, an employee of the Town of Lancaster Assessor's Office, James Juliano, has notified the Supervisor of his need for temporary medical leave, and

WHEREAS, this employee has not accumulated sufficient sick time to cover his absence from work and since he does not have the minimum one year employment he is not able to request sick time from the Employee Sick Bank, and

WHEREAS, the Town Assessor and the employee have asked the Supervisor and Council Members to consider extending sick bank privileges not to exceed ten days to this employee to cover his time off from work, and

WHEREAS, the Town Board has given due consideration to the request;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes James Juliano the use of no more than ten (10) days from the Employee Sick Bank given his current employment status with the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: rjulianosickleave1002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Bruce Klingelsmith, who resides at 1284 Town Line Road in the Town of Lancaster, has requested that he be permitted to become an out-of-district customer with the Town of Alden Sewer District No. 4 for purposes of sanitary sewer service since there is no sanitary sewer available on the Lancaster side of Town Line Road in his immediate vicinity, and

WHEREAS, the Town of Alden by Town Board resolution approved an out-of-district customer use for Bruce Klingelsmith to the Town of Alden, Sewer District No. 4, and

WHEREAS, the Town Board of the Town of Lancaster must approve and authorize a Town owned property being serviced as an out-of-district customer to a sewer district in an adjoining Town, and

WHEREAS, the Town Board deems it in the public interest to permit Bruce Klingelsmith to become an out-of-district customer with the Town of Alden Sewer District No. 4 upon the conditions contained and set forth in the agreement to be entered into attached hereto which provides in part that in the event that sanitary sewer becomes available to 1284 Town Line Road that Klingelsmith or his successor in interest will become obligated to become a user of such service as provided through the Town of Lancaster and the out-of-district customer status with Alden will then cease.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Bruce Klingelsmith to become an out-of-district customer to the Town of Alden Sewer District No. 4 subject to the terms and conditions contained in the agreement to be entered into between Bruce Klingelsmith, the Town of Lancaster and the Town of Alden and further conditions this approval on the approval by the County of Erie with regard to this out-of-district customer use with the beforementioned Town of Alden Sewer District No. 4.

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute any and all agreements necessary to effectuate this out-of-district customer agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: rkingelsmith1002

PREFILED RESOLUTION NO. 14 - MEETING OF 10/21/02

Montour/ _____ Authorize Dumping Permit Clarence Center General Contractors Inc
(John Collana)

At the request of Council Member Montour, this resolution was withdrawn for
further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Chapter 30, "PERMIT AND APPLICATION FEES" of the Code of the Town of Lancaster provides for the schedule of fees which accompany Building Permits, and

WHEREAS, the Town Board has reviewed the fee schedule and has determined it to be in the public interest to make certain amendments to the fee schedule therein, as follows:

- (1) To repeal §30-27, Conservation Fee, repealed in its entirety.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a Public Hearing on the proposed amendments to the PERMIT AND APPLICATION FEES ORDINANCE, Chapter 30 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 4th day of November, 2002, at 8:20 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 24th day of October, 2002, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | ABSTAINED |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: conservationfee1002

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 21st day of October, 2002, the said Town Board will hold a Public Hearing on the 4th day of November, 2002 at 8:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, to hear all interested persons upon the proposed amendments to the Permit and Application Fees Ordinance, designated as Chapter 30 of the Code of the Town of Lancaster, as follows:

- (1) §30-27. Conservation fee shall be repealed in its entirety.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
TOWN CLERK**

October 21, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Chapter 30, "PERMIT AND APPLICATION FEES" of the code
of the Town of Lancaster provides for the schedule of fees which accompany Building
Permits, and

WHEREAS, the Town Board has reviewed the fee schedule and has
determined it to be in the public interest to make certain amendments and additions to the fee
schedule therein, as follows:

(1) §30-26. Tree reforestation fee. (A) shall be amended to read as follows:

"§30-26. Tree reforestation fee.

.....

A. Single-family dwelling: \$250 per lot.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of
New York, a Public Hearing on the proposed amendments to the PERMIT AND
APPLICATION FEES ORDINANCE, Chapter 30 of the Code of the Town of Lancaster,
County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue,
Lancaster, New York, on the 4th day of November, 2002, at 8:10 o'clock P.M., Local Time,
and that Notice of the time and place of such hearing be published on or before the 24th day of
October, 2002, in the Lancaster Bee, the official newspaper, being a newspaper of general
circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in
the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | ABSTAINED |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: treereforestationfee1002

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 21st day of October, 2002, the said Town Board will hold a Public Hearing on the 4th day of November, 2002 at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, to hear all interested persons upon the proposed amendments to the Permit and Application Fees Ordinance, designated as Chapter 30 of the Code of the Town of Lancaster, as follows:

(1) §30-26. Tree reforestation fee. (A) shall be amended to read as follows:

“§30-26. Tree reforestation fee.

.....

A. Single-family dwelling: \$250 per lot.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
TOWN CLERK**

October 21, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Chapter 30, "PERMIT AND APPLICATION FEES" of the code of the Town of Lancaster provides for the schedule of fees which accompany Building Permits, and

WHEREAS, the Town Board has reviewed the fee schedule and has determined it to be in the public interest to make certain amendments and additions to the fee schedule therein, as follows:

- (1) §30-25. Recreation Filing Fee. (B) (1) and (2) shall be amended to read as follows:

"§30-25. Recreation filing fee.

.....

B.....

- (1) Single-family dwelling: Twelve hundred dollars (\$1,200) per lot.
- (2) Multiple dwelling: Twelve hundred dollars (\$1,200) for each dwelling unit.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a Public Hearing on the proposed amendments to the PERMIT AND APPLICATION FEES ORDINANCE, Chapter 30 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, on the 4th day of November, 2002, at 8:00 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 24th day of October, 2002, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | ABSTAINED |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: recreationalfilingfee1002a

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 21st day of October, 2002, the said Town Board will hold a Public Hearing on the 4th day of November, 2002 at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, to hear all interested persons upon the proposed amendments to the Permit and Application Fees Ordinance, designated as Chapter 30 of the Code of the Town of Lancaster, as follows:

- (1) §30-25. Recreation Filing Fee. (B) (1) and (2) shall be amended to read as follows:

 "§30-25. Recreation filing fee.

 B.

- (1) Single-family dwelling: Twelve hundred dollars (\$1,200) per lot.
- (2) Multiple dwelling: Twelve hundred dollars (\$1,200) for each dwelling unit.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
TOWN CLERK**

October 21, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Director of Administration and Finance, to wit:

Claim No. 16723 to Claim No. 16929 Inclusive

Total amount hereby authorized to be paid: \$713,620.97

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002
File: Relains

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to amend Article II of Chapter 30, Planning and Development Fees, by the repeal in its entirety of §30-40 entitled Public Safety Impact Fees.

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LANCASTER, BY DELETING IN ITS ENTIRETY §30-40 OF CHAPTER 30 - PLANNING AND DEVELOPMENT FEES.

BE IT ENACTED by the Town Board of the Town of Lancaster, as follows:

- SECTION 1:** That §30-40 of Article II of Chapter 30 - Planning and Development Fees be and is hereby repealed in its entirety.
- SECTION 2.** This Local Law shall become effective upon filing with the Office of the Secretary of State.

**NOW, THEREFORE, BE IT
RESOLVED,** as follows:

1. That pursuant to the Municipal Home Rule Law of the State of New York, and Chapter 26 of the code of the Town of Lancaster, a Public Hearing on a proposed Local Law of the Year 2002, which local law repeals in its entirety Section 30-40 of Article II of Chapter 30 - "Planning and Development Fees" of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:30 o'clock P.M., Local Time, on the 4th day of November, 2002, and that Notice of the Time and Place of such Hearing shall be published on October 24, 2002, in the Lancaster Bee, being a newspaper of general circulation in said Town, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of this proposed Local Law for the Year 2002, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

**LEGAL NOTICE
PUBLIC HEARING
PROPOSED LOCAL LAW
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted October 21, 2002, the said Town Board will hold a Public Hearing on the 4th day of November, 2002 at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon a proposed Local Law of the Year 2002, which Local Law repeals in its entirety, Section 30-40 of Article II of Chapter 30 of the Code of the Town of Lancaster.

A complete copy of the Local Law to be repealed, designated as Section 30-40, of Article II of Chapter 30 - Planning and Development Fees of the Code of the Town of Lancaster, is available at the office of the Town Clerk for inspection and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

October 21, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit Applications be and
are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

| | | | | |
|-------|-------------------------|-----------------------|------------------|-------|
| 9995 | Duro-Shed Inc | 15 Michael Anthony Ln | Er. Shed | |
| 9996 | SW North Forest Devel. | 2805 Wehrle Dr | Er. Comm. Bldg. | |
| 9997 | Walker, Marvin | 26 Cedar Brook Dr | Er. Shed | |
| 9998 | Schillo, Keith | 1177 Penora St | Er. Res. Alt. | |
| 9999 | Pennell, Mark | 756 Aurora St | Er. Res. Add. | |
| 10000 | Albert V. Ranuccio | 18 Windcroft Ln | Er. Dwlg.-Sin. | |
| 10001 | Forbes Homes | 152 Siebert Rd | Er. Dwlg.-Sin. | |
| 10002 | Ryan Homes Inc | 26 Creekwood Dr | Er. Dwlg.-Sin. | |
| 10003 | Wienckowski Builders | 138 Stony Rd | Er. Res. Add. | |
| 10004 | J Gun Enterprises Inc | 14 Parkedge Dr | Er. Pool-Abv Gmd | |
| 10005 | Dimmig, Robert | 33 Creekwood Dr | Er. Deck | |
| 10006 | WFB Enterprises Inc | 44E Home Rd | Er. Dwlg.-Sin. | |
| 10007 | Beauty Pools Inc | 32 Fieldstone Ln | Er. Fence | |
| 10008 | Beauty Pools Inc | 32 Fieldstone Ln | Er. Pool-In Gmd | |
| 10009 | Marrano/Marc Equity Inc | 48 Cedar Brook Dr | Er. Dwlg.-Sin. | |
| 10010 | Marrano/Marc Equity Inc | 28 Apple Blossom Blvd | Er. Dwlg.-Sin. | |
| 10011 | Duro-Shed Inc | 29 Windcroft Ln | Er. Shed | |
| 10012 | Sky Harbor Corp. | 100 Freeman Dr | Er. Dwlg.-Sin. | |
| 10013 | Ferraccio, Michael | 57 Wilkshire Pl | Er. Garage | (V/L) |
| 10014 | Ms Michaels Builders | 15 Nottingham Ln | Er. Dwlg.-Sin. | |
| 10015 | Duro-Shed Inc | 51 Heritage Dr | Er. Shed | |
| 10016 | Armstrong, Patricia | 5936 Broadway | Er. Shed | |
| 10017 | Black Hat Chimney | 5 Northbrook Ct | Er. Fireplace | |
| 10018 | Sikorski Builders Inc | 193 Nathan's Trl | Er. Dwlg.-Sin. | |
| 10019 | Classic Fence Inc | 10 Fox Trace | Er. Fence | |
| 10020 | Sacco, Joseph | 5 Cobblestone Ct | Er. Shed | |
| 10021 | Glamour Pools Inc | 23 Hill Valley Dr | Er. Pool-In Gmd | |
| 10022 | Glamour Pools | 23 Hill Valley Dr | Er. Fence | |
| 10023 | Iroquois Fence | 8 Thomas Dr | Er. Fence | |
| 10024 | Duro-Shed Inc | 8 Thomas Dr | Er. Shed | |
| 10025 | Donato Developers Inc | 224 Nathan's Trl | Er. Dwlg.-Sin. | |

| | | | | |
|-------|-------------------------|-------------------|----------------|-------|
| 10026 | Forbes Homes | 14 Regency Ct | Er. Dwlg.-Sin. | |
| 10027 | Pigeon, Michael | 105 Harvey Dr | Er. Fireplace | (V/L) |
| 10028 | Donato Developers Inc | 226 Nathan's Trl | Er. Dwlg.-Sin. | |
| 10030 | Pinelli, Anthony | 4908 William St | Dem. Garage | |
| 10031 | Lovejoy Builders Inc | 9 Ann Marie Dr | Er. Dwlg.-Sin. | |
| 10032 | Orlowski, F | 298 Westwood Rd | Er. Fireplace | |
| 10033 | Marrano/Marc Equity Inc | 43 Summerfield Dr | Er. Dwlg.-Sin. | |

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARRO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File:Rbldg2

SUSPENDED RESOLUTIONS:

Council Member Ruffino requested a suspension of the necessary rules for immediate consideration of the following two resolutions:

Council Member Stempniak moved to suspend the necessary rules for immediate consideration of the following two resolutions, seconded by Council Member Ruffino, on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, it is in the public interest of the Town of Lancaster to complete and file its Community Development Project Description Forms for community development funding for the year 2003 - 2004, and

WHEREAS, a public hearing was held by the Town Board of the Town of Lancaster on October 21, 2002 to elicit from the public comments relative to the use of 2003 - 2004 Community Development Block Grant funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute and file the required 2003 - 2004 Community Development Project Description Application Forms for the year 2003 - 2004 for approval and execution of contract with the Erie County Community Development Block Grant Program, as follows:

- Sidewalks on the South Side of William Street

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: recomdevelopblockgrant2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO. TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated October 7, 2002, has requested the addition of the following individual to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department, the following individual:

ADDITION:

John Nicholas Smith
37 Glendale Drive
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

October 21, 2002

File: RFIRE (P3)

COMMUNICATIONS & REPORTS:

- 895. Copy of a 1999 Communication to Town Board -
Copy of a letter from Erie County Sheriff presented to Town Board by Roy Schneggenburger. DISPOSITION = Received & Filed
- 896. Town Line Volunteer Fire Department, Inc. to Town Board -
Request for change in roster. DISPOSITION = Resolution 10/21/02
- 897. John Stanko to Town Clerk -
Complaint regarding 6026 Broadway. DISPOSITION = Planning Committee
- 898. Philomen Stanko to Town Clerk -
Complaint regarding 6026 Broadway. DISPOSITION = Planning Committee
- 899. John L. Beilman to Town Clerk -
Complaint regarding 6026 Broadway. DISPOSITION = Planning Committee
- 900. Roy Schneggenburger to Town Clerk -
Response to letter from Chief of Police regarding "Citizen Complaint Form".
DISPOSITION = Received & Filed
- 901. Town Clerk to Supervisor -
Transmittal of monthly report for September 2002. DISPOSITION = Received & Filed
- 902. Council Member Zarbo to Supervisor, Village Mayor, Village Police Chief, Town Board, Village Board -
Letter regarding the proposed merger of the Village and Town police departments.
DISPOSITION = Received & Filed
- 903. AMF Bowling Centers, Inc. to Town Board -
Advisement of renewal of liquor license. DISPOSITION = Town Attorney
- 904. Lancaster Area Chamber of Commerce to Residents -
Update of Broadway reconstruction project. DISPOSITION = Received & Filed
- 905. Majority Leader, NYS Senate to Supervisor -
Acknowledgment of Town's support of Senate Bill 2979-A. DISPOSITION = Received & Filed
- 906. Lancaster Area Chamber of Commerce to Town Board -
Schedule of Chamber activities for the week of October 7, 2002. DISPOSITION = Received & Filed
- 907. Association of Erie County Governments to Town Board -
Notice of meeting at the Akron House on October 24, 2002 at 6:00 PM.
DISPOSITION = Received & Filed
- 908. NYS Office of Real Property Services to Supervisor -
Schedule of Distribution of 2002 STAR Administrative Aid. DISPOSITION = Received & Filed
- 909. Lancaster Area Chamber of Commerce to Supervisor and Town Board -
Update of completion and opening of Broadway bridge at D&L Plaza.
DISPOSITION = Received & Filed
- 910. Student Union, Lancaster Central School District to Town Board -
Request permission for motorcade on October 25, 2002. DISPOSITION = Police Chief
- 911. Village of Lancaster to Town Board -
Transmittal of Official Minutes of meeting held September 23, 2002.
DISPOSITION = Received & Filed

912. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino, & STEMPNIAK -
Notice of non-approval from the Town Forestry Department for site plan of Alberti Brothers, 491 Erie Street. DISPOSITION = Planning Committee
913. NYS DEC to Town Board -
Notice regarding new Federally-Mandated Program to Control Stormwater Runoff. DISPOSITION = Town Engineer
914. Erie County Dept. of Senior Services to Town Board -
Notice of series of meetings regarding the Home Energy Assistance Program. DISPOSITION = Received & Filed
915. Lancaster Area Chamber of Commerce to Residents -
Update of completion and opening of Broadway bridge at D&L Plaza. DISPOSITION = Received & Filed
916. General Crew Chief to Supervisor -
Request to upgrade John Zimmerman to position of Laborer. DISPOSITION = Resolution 10/21/02
917. General Crew Chief to Supervisor -
Request appointment of Brian Stanek and Leo Warrington to position of Laborer-Aide. DISPOSITION = Resolution 10/21/02
918. Executive Director, Youth Bureau to Supervisor -
Request appointment of Mindy M. Wolcott to position of Youth Court Coordinator. DISPOSITION = Resolution 10/21/02
919. General Crew Chief to Supervisor -
Request resolution granting Kathy Skubis unpaid leave of absence. DISPOSITION = Resolution 10/21/02
920. General Crew Chief to Supervisor -
Request appointment of Kim Pesany-Au to position of Recreation Attendant (Arts Instructor). DISPOSITION = Resolution 10/21/02
921. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer, Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held October 16, 2002. DISPOSITION = Received & Filed
922. Planning Board to Town Board -
Recommendation to approve site plan of The Garden Place Hotel, 6615 Transit Road. DISPOSITION = Resolution 10/21/02
923. Planning Board to Town Board -
Recommendation to approve site plan of Alberti Landscaping, 491 Erie Street with conditions. DISPOSITION = Planning Committee/Department of Parks & Forestry
924. Town Engineer to Town Board -
Recommendation to approve dumping permit application of John Collana, north of Genesee Street, east of Gunnville Road. DISPOSITION = Resolution 10/21/02
925. Police Captain Trzewieczynski to Town Board -
Request resolution to advertise for bids for changeable message/radar speed sign. DISPOSITION = Resolution 10/21/02
926. Chief, Bowmansville Volunteer Fire Dept. to Supervisor -
Request for repair of fire hydrant at 729 Pleasant View Drive. DISPOSITION = Town Engineer

927. Supervisor to James Keysa -
Authorization to remove and relocate chestnut tree in front of Lancaster Boys & Girls Club, 5440 Broadway. DISPOSITION = Received & Filed
928. NYS Senator Dale Volker to Supervisor -
Acknowledgment of Town's support of Senate Bill 2979-A. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY COUNCIL MEMBER RUFFINO, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

The meeting was adjourned at 10:20 P.M.

Signed 
Johanna M. Coleman, Town Clerk